

# BRIGGS AND MORGAN

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September 25, 2006

## VIA FEDERAL EXPRESS

Beth O'Donnell  
Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, Kentucky 40602-0615

RECEIVED

SEP 26 2006

PUBLIC SERVICE  
COMMISSION

**Re: Petition of Ballard Rural Telephone Cooperative Corporation, Inc. for Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement With American Cellular f/k/a ACC Kentucky License LLC, Pursuant to the Communications Act of 1934, as Amended by the Telecommunications Act of 1996, Case No. 2006-00215**

Dear Ms. O'Donnell:

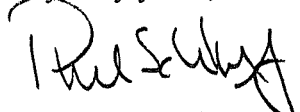
Enclosed herewith please find for filing with the Commission copies of the following documents in connection with the above-referenced matter:

- Verizon Wireless's Second Petition for Confidential Treatment;
- Affidavit of Elaine Critides in Support of Petition for Confidential Treatment;
  - Confidential Exhibit 1;
  - Exhibit 1 with confidential information redacted (10 copies).

Verizon Wireless has served written responses to Petitioners' Supplemental Interrogatories and Document Requests, and have filed those responses. Exhibit 1 to each of these responses is the information for which confidential treatment has been requested.

Please do not hesitate to contact me if you should have any questions concerning this filing.

Very truly yours,

  
Philip R. Schenkenberg

PRS/smo  
Enclosures

**BRIGGS AND MORGAN**

Beth O'Donnell  
September 25, 2006  
Page 2

cc: John Selent  
James Dean Liebman (w/o confidential information)  
Bhogan M. Modi (w/o confidential information)  
William G. Francis (w/o confidential information)  
Thomas Sams (w/o confidential information)  
NTCH-West, Inc. (w/o confidential information)

**COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION**

In the Matter of:

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Petition of Ballard Rural Telephone Cooperative )  
Corporation, Inc. for Arbitration of Certain Terms )  
and Conditions of Proposed Interconnection )  
Agreement With American Cellular f/k/a ACC )  
Kentucky License LLC, Pursuant to the )  
Communications Act of 1934, as Amended by the )  
Telecommunications Act of 1996 )

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Case No. 2006-00215

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PUBLIC SERVICE  
COMMISSION

**VERIZON WIRELESS'S SECOND PETITION FOR  
CONFIDENTIAL TREATMENT**

Cellco Partnership d/b/a Verizon Wireless, GTE Wireless of the Midwest Incorporated, and Kentucky RSA No. 1 Partnership ("Verizon Wireless"), by its undersigned counsel, and pursuant to 807 KAR 5:001, Section 7, hereby petitions the Kentucky Public Service Commission ("Commission") for an Order granting confidential treatment to Exhibit A to Verizon Wireless' Response to Petitioner's Supplemental Interrogatories and Requests for Production of Documents filed in the above docket as follows:

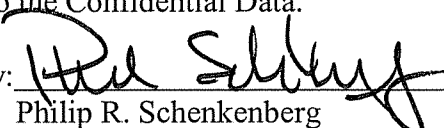
1. Petitioner has requested, and Verizon Wireless will provide, certain information regarding Verizon Wireless's network configuration and coverage in the Commonwealth of Kentucky. The disclosure of such proprietary information would result in irreparable competitive harm to Verizon Wireless by providing its competitors with a non-reciprocal competitive advantage. No public purpose is served by the disclosure of such information, and the Regulations of the Commission contemplate the filing of such information under a Confidentiality Order in proceedings such as this. Additional grounds for this requested relief are stated in the attached affidavit of Elaine Critides which is attached as Exhibit A hereto. The information for which confidential treatment is requested is attached to this filing. Verizon

Wireless requests that the information be identified as "Confidential Data" and protected from disclosure by the Commission.

2. Verizon Wireless and Petitioner have executed a Confidentiality Agreement, and Verizon Wireless have produced the applicable Exhibit A to Petitioner subject to that Agreement.

WHEREFORE, Verizon Wireless respectfully requests that the Commission enter all necessary Orders granting confidential treatment to the Confidential Data.

Dated: September 25, 2006

By:   
Philip R. Schenkenberg  
**BRIGGS AND MORGAN, P.A.**  
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Kendrick R. Riggs  
Douglas F. Brent  
**STOLL KEENON OGDEN PLLC**  
2000 PNC Plaza  
500 West Jefferson Street  
Louisville, Kentucky 40202  
(502) 333-6000  
(502) 627-8722 (fax)  
kendrick.riggs@skofirm.com

**ATTORNEYS FOR CELLCO  
PARTNERSHIP D/B/A VERIZON  
WIRELESS, GTE WIRELESS OF THE  
MIDWEST INCORPORATED, AND  
KENTUCKY RSA NO. 1 PARTNERSHIP  
(VERIZON WIRELESS")**

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of **VERIZON WIRELESS'S SECOND PETITION FOR CONFIDENTIAL INFORMATION** was on this 2<sup>5</sup>th day of September, 2006 served via electronic and United States mail, postage prepaid to the following:

John E. Selent  
DINSMORE & SHOHL, LLP  
1400 PNC Plaza  
500 West Jefferson Street  
Louisville, Kentucky 40202

James Dean Liebman  
LIEBMAN & LIEBMAN  
403 West Main Street  
P.O. Box 478  
Frankfort, Kentucky 40602

Bhugin M. Modi  
COMSCAPE COMMUNICATIONS, INC.  
1926 10th Avenue, North  
Suite 305  
West Palm Beach, Florida 33461

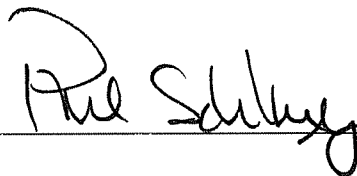
William G. Francis  
FRANCIS, KENDRICK AND FRANCIS  
First Commonwealth Bank Building  
311 North Arnold Avenue, Suite 504  
P.O. Box 268  
Prestonburg, Kentucky 41653-0268

Thomas Sams  
NTCH, INC.  
1600 Ute Avenue, Suite 10  
Grand Junction, Colorado 81501

NTCH-WEST, INC.  
1970 N. Highland Avenue  
Suite E  
Jackson, Tennessee 38305

The undersigned also hereby certifies that a copy of the unredacted **CONFIDENTIAL EXHIBIT 1** was on this 2<sup>5</sup>th day of September, 2006 served via ~~electronic~~ and United States mail, postage prepaid to the following:

John E. Selent, Esq.  
Dinsmore & Shohl  
1400 PNC Plaza  
500 West Jefferson Street  
Louisville, KY 40202



A handwritten signature in cursive script, appearing to read "Paul Selent", is written over a horizontal line.

**COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION**

In the Matter of:

Petition of Ballard Rural Telephone Cooperative Corporation, Inc. for Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement With American Cellular f/k/a ACC Kentucky License LLC, Pursuant to the Communications Act of 1934, as Amended by the Telecommunications Act of 1996	)	
	)	
	)	Case No. 2006-00215
	)	
	)	
	)	
	)	
	)	

Petition of Duo County Telephone Cooperative Corporation, Inc. for Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement With Cellco Partnership d/b/a Verizon Wireless, GTE Wireless of the Midwest Incorporated d/b/a Verizon Wireless, and Kentucky RSA No. 1 Partnership d/b/a Verizon Wireless, Pursuant to the Communications Act of 1934, as Amended by the Telecommunications Act of 1996	)	
	)	
	)	Case No. 2006-00217
	)	
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Petition of Logan Telephone Cooperative Inc. for Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement With American Cellular f/k/a ACC Kentucky License LLC, Pursuant to the Communications Act of 1934, as Amended by the Telecommunications Act of 1996	)	
	)	
	)	Case No. 2006-00218
	)	
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	)	

Petition of West Kentucky Rural Telephone Cooperative Corporation, Inc. for Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement with American Cellular f/k/a ACC Kentucky License LLC, Pursuant to the Communications Act of 1934, as Amended by the Telecommunications Act of 1996	)	
	)	
	)	Case No. 2006-00220
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	)	
	)	
	)	
	)	

Petition of North Central Telephone Cooperative Corporation, For Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement with American Cellular Corporation f/k/a ACC Kentucky License LLC, Pursuant To the Communications Act of 1934, As Amended by the Telecommunications Act of 1996

Case No. 2006-00252

Petition of South Central Rural Telephone Cooperative Corporation, Inc., For Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement With Celco Partnership d/b/a Verizon Wireless, GTE Wireless of the Midwest Incorporated d/b/a Verizon Wireless, and Kentucky RSA No. 1 Partnership d/b/a Verizon Wireless, Pursuant To the Communications Act of 1934, As Amended by the Telecommunications Act of 1996

Case No. 2006-00255

Petition of Foothills Rural Telephone Cooperative Corporation, Inc., For Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement With Celco Partnership d/b/a Verizon Wireless, GTE Wireless of the Midwest Incorporated d/b/a Verizon Wireless, and Kentucky RSA No. 1 Partnership d/b/a Verizon Wireless, Pursuant To the Communications Act of 1934, As Amended by the Telecommunications Act of 1996

Case No. 2006-00292

Petition of Brandenburg Telephone Company For Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement With Celco Partnership d/b/a Verizon Wireless, GTE Wireless of the Midwest Incorporated d/b/a Verizon Wireless, and Kentucky RSA No. 1 Partnership d/b/a Verizon Wireless, Pursuant To the Communications Act of 1934, As Amended by the Telecommunications Act of 1996

Case No. 2006-00288

Petition of Gearheart Communications Inc. d/b/a Coalfields Telephone Company, For Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement With Celco Partnership d/b/a Verizon Wireless, GTE Wireless of the Midwest Incorporated d/b/a Verizon Wireless, and Kentucky RSA No. 1 Partnership d/b/a Verizon Wireless, Pursuant To the Communications Act of 1934, As Amended by the Telecommunications Act of 1996

Case No. 2006-00294

Petition of Mountain Rural Telephone Cooperative Corporation, Inc., For Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement With Cellco Partnership d/b/a Verizon Wireless, GTE Wireless of the Midwest Incorporated d/b/a Verizon Wireless, and Kentucky RSA No. 1 Partnership d/b/a Verizon Wireless, Pursuant To the Communications Act of 1934, As Amended by the Telecommunications Act of 1996

Case No. 2006-00296

Petition of Peoples Rural Telephone Cooperative Corporation, Inc., For Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement With Cellco Partnership d/b/a Verizon Wireless, GTE Wireless of the Midwest Incorporated d/b/a Verizon Wireless, and Kentucky RSA No. 1 Partnership d/b/a Verizon Wireless, Pursuant To the Communications Act of 1934, As Amended by the Telecommunications Act of 1996

Case No. 2006-00298

Petition of Thacker-Grigsby Telephone Company, Inc., For Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement With Cellco Partnership d/b/a Verizon Wireless, GTE Wireless of the Midwest Incorporated d/b/a Verizon Wireless, and Kentucky RSA No. 1 Partnership d/b/a Verizon Wireless, Pursuant To the Communications Act of 1934, As Amended by the Telecommunications Act of 1996

Case No. 2006-00300



**AFFIDAVIT OF ELAINE CRITIDES IN SUPPORT  
OF T-MOBILE'S PETITION FOR CONFIDENTIAL TREATMENT**

Elaine Critides, being first duly sworn on oath, states as follows:

1. I am a Senior Attorney for Celco Partnership d/b/a Verizon Wireless, GTE Wireless of the Midwest Incorporated, and Kentucky RSA No. 1 Partnership ("Verizon Wireless"), Respondents in the instant proceeding. In my capacity I have personal knowledge of the matters set forth in this affidavit and am authorized to make this affidavit on behalf of Verizon Wireless.

2. Verizon Wireless is requesting confidential treatment for Exhibit A to its Response to each Petitioner's Supplemental Interrogatories and Requests for Production of Documents, which includes information regarding Verizon Wireless's network configuration and coverage in the Commonwealth of Kentucky. This information has been attached to the affidavit as Exhibit 1.

3. Exhibit 1 contains proprietary information that would aid competitors of Verizon Wireless, and such trade secret information is subject to protection from disclosure pursuant to Kentucky law. *See* KRS 61.870, et seq.

4. The specific Exhibit Verizon Wireless proposes to file would reveal proprietary information. This information constitutes a trade secret because it is commercial information related to market share and market penetration that, if disclosed, could cause substantial competitive harm to Verizon Wireless. This information is either not publicly available or not generally available in this format. It would be difficult (or impossible) for someone to discover this information from other sources. If this information were available to competitors in this format, they could use it to the competitive detriment of Verizon Wireless.

5. Unlike incumbent telephone companies who are typically subject to a high degree of regulation, wireless providers like Verizon Wireless operate in a highly competitive marketplace where such proprietary information is closely guarded to ensure it is not disclosed to competitors.

6. This information is not generally disclosed to non-management employees of Verizon Wireless, and is protected internally by Verizon Wireless as proprietary information.

FURTHER YOUR AFFIANT SAYETH NOT.

Elain D. Cristales

District of Columbia: ss

Subscribed and sworn to before me  
this 26<sup>th</sup> day of September, 2006.

Linda L. Clowe  
Notary Public

My commission expires: Dec. 14, 2009

**CONFIDENTIAL DATA**

**REDACTED**

**EXHIBIT 1**